



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cheung, W.K. et al.

Serial No.: 10/037,369

Art Unit: 1654

Filed

: November 7, 2001

Examiner: Meller, M.V.

For

AQUEOUS SUSTAINED-RELEASE FORMULATIONS OF PROTEINS

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May 20, 2003

Myra H. McCormack
(Name of applicant, assignee, or Registered Representative)

(Signature) May 20 2003

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Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

#10

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. In accordance with \$1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with \$1.129(a), this Information Disclosure Statement is being filed in connection with [] the first or Second After Final Submission, therefore: Statement in Accordance with \$1.97(e) (attached); П or Please charge Deposit Account No. 10-0750/ the fee of \$180.00 as set forth in \$1.17(p). In accordance with \$1.97(c), this Information \boxtimes Disclosure Statement is being filed after the period set forth in \$1.97(b) above but before the mailing date of either a Final Action under \$1.113 or a Notice of Allowance under \$1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with \$1.97(e) (attached); M or

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[list as appropriate], and the likelihood that	
these references are available to the Examiner,	
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\square If any of the foregoing publications are not	
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There are no listed references which are not in the	
English language.	
☐ The relevance of those listed references which are not	
in the English language is as follows:	
J	

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/ORT1531/MHM. This form is submitted in triplicate. Respectfully submitted,

Reg. No. 36602

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-6932

DATED:

lay 20, 2003



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Sheet 1 of 2

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Application Number	10/037,369
Filing Date	November 7, 2001
First Named Inventor	Cheung, W.K.
Group Art Unit	1654
Examiner Name	Meller, M.V.
Attorney Docket Number	ORT-1531

	U.S. PATENT DOCUMENTS							
		U.S. Patent Do	ocument		Date of Publication	Pages, Columns, Lines,		
Examiner Initials	Cite		Kind Code ²	Name of Patentee or Applicant	of Cited Document	where relevant passages		
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FOREIGN PATENT DOCUMENTS Foreign Patent Document **Date of Publication** Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant T⁶ Cite Examiner mm-dd-yyyy **Applicant of Cited Document** figures appear Initials Number4 KindCode5 9707788 03-06-1997 wo Α Alkernes Inc. Ortho McNeil Pharm, Inc. 10-19-2000 wo 0061169 Α 08-14-1997 wo 9728828 Α Amgen Boulder Inc. wo 0013710 Α Scios Inc. 03-16-2000 Α 04-14-1983 WO 8301198 Berg Kurt Frimann

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1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		CHEUNG, W. et al: "Pharmacokinetics and pharmacodynamics of epoetin alfa once weekly and three times weekly". European Journal of Clinical Pharmacology, vol. 57, no. 5, August 2001 (2001-08), pages 411-418, ISSN: 0031-6970.	
		TROXEL, T.R., et al: "Ovulation and reproductive hormones following steroid pretreatment, calf removal and GnRH in postpartum suckled beef cows". Journal of Animal Science, vol. 51, no. 3, 1980, pages 652-659. ISSN:0021-8812.	
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Page 1 of 1

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FOREIGN PATENT DOCUMENTS Foreign Patent Document Pages, Columns, Lines, where relevant passages or relevant figures Name of Patentee or Cite Examiner Applicant of Cited Document Office³ Number⁴ KindCode⁵ appear Initials No.1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T² Cite No.¹ Examiner Initials* PCT International Search Report, PCT/US02/36300, March 19, 2003.

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Docket No. ORT-1531

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Disclosure Statement was cited in a communication from a foreign

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knowledge of the undersigned after making reasonable inquiry, no item

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Myra F. McCormack Reg. No. 36602

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One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
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DATED: 20 May 2003

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